

approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing on or before September 28, 1998.

**ADDRESSES:** Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P-AR, Environmental Protection Agency (EPA), Region VIII, 999 18th Street, suite 500, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, Colorado, 80202. Copies of the State documents relevant to this action are available for public inspection at the North Dakota State Department of Health, Division of Environmental Engineering, 1200 Missouri Avenue, Bismarck, North Dakota 58506.

**FOR FURTHER INFORMATION CONTACT:** Amy Platt, EPA, Region VIII, (303) 312-6449.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401 et seq.

**Jack McGraw,**

*Acting Regional Administrator, Region VIII.*

[FR Doc. 98-22900 Filed 8-26-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-6151-3]

#### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Intent to Delete the Coshocton City Landfill Site, Coshocton, Ohio, from the National Priorities List; request for comments.

**SUMMARY:** The United States Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the Coshocton City Landfill Site (the Site) from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which U.S. EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended. This action is being taken by U.S. EPA, because it has been determined that Responsible parties or other persons have implemented all appropriate response actions required, and U.S. EPA, in consultation with the State of Ohio, has determined that no further response is appropriate. Moreover, U.S. EPA and the State have determined that remedial activities conducted at the Site to date have been protective of public health, welfare, and the environment.

**DATES:** Any comments concerning the proposed deletion of the Site from the NPL must be submitted on or before September 28, 1998.

**ADDRESSES:** Comments may be mailed to Gladys Beard, Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd. (SR-6J), Chicago, IL 60604.

Comprehensive information on the site is available at U.S. EPA's Region V office and at the local information repository located at: Coshocton Public Library, 655 Main Street, Coshocton, Ohio. Requests for copies of documents or the comprehensive set of information should be directed formally to the Region V Docket Office. The address and phone number for the Regional Docket Officer is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

**FOR FURTHER INFORMATION CONTACT:** Anthony Rutter Remedial Project Manager at (312) 886-8961 or Sherry Estes (C-14J), Assistance Regional Counsel, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-7164 or Robert Paulson (P-19J), Office of Public Affairs, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-0273.

#### SUPPLEMENTARY INFORMATION:

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## I. Introduction

The U.S. Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the Coshocton City Landfill Site from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments on the proposed deletion. The U.S. EPA identifies sites that appear to present a significant risk to public health, welfare or the environment, and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Potentially Responsible Parties or the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if the conditions at the Site warrant such action.

The U.S. EPA will accept comments on this proposal for thirty (30) days after publication of this document in the **Federal Register**.

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses procedures that U.S. EPA is using for this action. Section IV discusses the history of this Site and explains how the Site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. Furthermore, deletion from the NPL does not in any way alter U.S. EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist in Agency management.

## II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete Sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. In making this determination, U.S. EPA will consider, in consultation with the State, whether any of the following criteria have been met:

- (i) Responsible parties or other persons have implemented all appropriate response actions required; or
- (ii) All appropriate Fund-financed responses under CERCLA have been implemented, and no further response action by responsible parties is appropriate; or
- (iii) The Remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, remedial measures are not appropriate.

### III. Deletion Procedures

Upon determination that at least one of the criteria described in § 300.425(e) has been met, U.S. EPA may formally begin deletion procedures once the State has concurred. This **Federal Register** document, and a concurrent notice in the local newspaper in the vicinity of the Site, announce the initiation of a 30-day comment period. The public is asked to comment on U.S. EPA's intention to delete the Site from the NPL. All critical documents needed to evaluate U.S. EPA's decision are included in the information repository and the deletion docket.

Upon completion of the public comment period, if necessary, the U.S. EPA Regional Office will prepare a Responsiveness Summary to evaluate and address comments that were received. The public is welcome to contact the U.S. EPA Region V Office to obtain a copy of this responsiveness summary, if one is prepared. If U.S. EPA then determines that the deletion from the NPL is appropriate, final notice of deletion will be published in the **Federal Register**.

### IV. Basis for Intended Site Deletion

The Coshocton City Landfill was built on an abandoned coal strip mine and is a 28 acre landfill in Franklin Township, Coshocton County, Ohio, 3.5 miles southeast of the City of Coshocton, Ohio. Much of the land to the south and to the west of the site has been mined and reclaimed.

The Coshocton Landfill is located between two small intermittent creeks that drain toward the southwest into the Muskingum River, 1.5 miles west of the site. Active, abandoned, and reclaimed coal strip mines are scattered throughout the region. In 1968, the City of Coshocton purchased the landfill property and used the Site for disposal of municipal and industrial wastes. Disposal ceased in 1979 and the landfill was closed.

The first set of expanded samples collected from existing monitoring wells in 1982 indicated the presence of VOCs in the ground water near the Site. Subsequent sampling confirmed the presence of VOCs in the groundwater.

The Coshocton Landfill Site was releasing contaminants to the environment. The major release mechanism was leachate migrating to surface water. However, the extent of the leachate's migration to groundwater was unclear. Results of samples taken from leachate, groundwater, surface water, and sediment water, and sediment identified approximately 30 chemical constituents.

In September 1983, the Site was placed on the U.S. EPA's National Priorities List (NPL) (48 FR 175). On March 30, 1984, U. S. EPA issued a unilateral administrative order to the City of Coshocton requiring it to undertake some interim measures, primarily to protect surface water and to address the leachate being generated. Approximately six months later, U.S. EPA determined that the City's proposal complied with the terms of the order, and by letter dated April 16, 1986, U. S. EPA agreed to relieve the City of its obligation to perform quarterly sampling.

The Remedial Investigation (RI) and Feasibility Study (FS) were released for public comment on February 8, 1988. The comment period was extended twice and closed on March 17, 1988. A public meeting was held on February 23, 1988. A presentation on the RI and FS was made and then a question and answer session, as well as an opportunity for making public comments, was held. Public comments were also submitted to U. S. EPA by mail. A Responsiveness Summary to these comments was compiled.

The Record of Decision (ROD) was signed by U. S. EPA on June 17, 1988. The Record of Decision (ROD) called for the construction of a landfill cap; regrading; revegetation; and groundwater, surface water, and landfill gas monitoring. In addition, future land-use restrictions were to be placed on the property. The groundwater, surface water and landfill gas monitoring was to be used to determine the necessity of installing a leachate collection and treatment system, and a landfill gas collection and venting system. It was determined during the Remedial Design that it was not necessary to install a leachate collection system or a gas venting system. If a residence is documented to be within 1,000 feet of the landfill, then the ROD called for the preparation and submittal of an explosive gas monitoring plan to U.S. EPA and Ohio EPA (OEPA) within 90 days of the site inspection noting the presence of the residence. An explosive gas monitoring plan was not prepared because there weren't any residences within 1,000 feet of the landfill.

Six potentially responsible parties signed a remedial design/remedial action (RD/RA) consent decree with U.S. EPA to implement the response activities determined to be necessary in the 1988 ROD. The RD/RA was entered by the Court on July 22, 1991, after a thirty-day public comment period, and after the filing of certain objections by Pretty Products, Inc, a potentially responsible party which did not sign the

RD/RA consent decree. The RD/RA Settling Defendants consisted of the following parties: the City of Coshocton, Ohio; General Electric Company; Steel Ceilings Division of Airtex Corporation; Stone Container Corporation; Excello, Inc.; Edmont-Wilson, Inc., a/k/a Becton Dickinson and Company; Buckeye Fabric Finishers, Inc.; and Shaw-Barton, Inc. The Settling Defendants completed the response activities required by the RD/RA Consent Decree and the ROD with U.S. EPA and Ohio EPA oversight. Pretty Products, Inc. subsequently entered into a cost recovery settlement with U.S. EPA, for U.S. EPA's unreimbursed past and oversight costs.

On September 25, 1995, the Close Out Report was signed. The Report documented that the response actions were constructed consistent with the approved remedial design, and with the ROD. Groundwater monitoring occurring subsequent to the Close Out Report documented that contaminants were found below the clean-up levels. For this reason, U.S. EPA proposes to delete the Site from the NPL.

U.S. EPA, with concurrence from the State of Ohio, has determined that all Responsible parties or other persons have implemented all appropriate response actions required at the Coshocton Landfill Superfund Site, and no further CERCLA response actions are appropriate in order to provide protection of public health and environment. Therefore, U.S. EPA proposes to delete the Site from the NPL.

Dated: August 14, 1998.

**Norman Niedergang,**

*Acting Regional Administrator, Region V.*  
[FR Doc. 98-22790 Filed 8-26-98; 8:45 am]

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### GENERAL SERVICES ADMINISTRATION

#### 41 CFR Chapters 300 and 303

[FTR Amendment \_\_\_\_—1998 Edition]

RIN 3090-AG76

#### Federal Travel Regulation, General and Payment of Expenses Connected With the Death of Certain Employees

**AGENCY:** Office of Governmentwide Policy, GSA.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule amends the Federal Travel Regulation (FTR) provisions pertaining to which employees are subject to the FTR rules governing payment of expenses in connection with death of employees or